REGISTER OF CLASSIFICATION DECISIONS

Title of Publication:	A9.JPG
Other Known Title:	Not Stated
Format:	Computer Image File Printout
Director/Author:	Not Applicable
Producer/Publisher:	Not Stated
Country of Origin:	Not Stated
Language:	English
Applicant:	Comptroller of Customs
Distributor:	Not Applicable
Classification:	Objectionable.
Descriptive Note:	Not Applicable
Display Conditions:	Not Applicable
Date of entry in Register:	20 February 2007
Date of direction to issue a label:	Not Applicable
OFLC No:	700023
Excisions:	Not Applicable

Reasons for excisions:

Not Applicable

Summary of reasons for classification:

The computer image file printout *A9.JPG* is classified as: Objectionable.

The publication is objectionable because it promotes and supports the exploitation of young persons for sexual purposes.

The publication is a printout of a computer image file that contains a nude depiction of a boy whose appearance suggests that he is 14-15 years old. The boy is posed facing the camera with one hand holding his penis. A sexual reading of the image is unavoidable. By presenting a sexualised image of a boy who appears to be in his early- to mid-teenage years, the publication encourages a sexual interest in young persons. It also advances the idea that young persons are ready for adult forms of sexual activity. This interpretation of the publication is supported by the fact that the image is contrived for the viewer and is in a format conducive to private viewing and easy dissemination.

The classification of this publication interferes with the right to freedom of expression, as set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's clear intention in s3(2) of the Films, Videos, and Publications Classification Act 1993. The classification is a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of young persons for sexual purposes.